

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOCKET NO. 05-30074-MAP

TAMMY WALKER,)
Plaintiff)
)
v.)
)
CITY OF HOLYOKE,)
Defendant)

DEFENDANT'S MOTION TO EXTEND DEADLINE TO DISCLOSE EXPERTS

NOW COMES the defendant, City of Holyoke, and respectfully requests that this Court extend the deadline for the defendant to disclose expert witnesses to October 2007.

As reason for this request, the defendant states as follows:

1. On July 2, 2007, the Court extended the deadline for the defendant to disclose expert witnesses to August 31, 2007 and issued orders for the plaintiff's mental health records kept by the Institute of Living and Brightside Medical Psychological Services to be produced.
2. On August 8, 2007, the defendant filed a motion requesting one revised order for the records kept by The Institute of Living since The Institute of Living would not comply with this Court's order, dated July 2, 2007. Defendant also requested an additional order for the records kept by Edward Chastain, LSW. To date, this motion has not been acted upon.
3. As a result of not receiving the plaintiff's complete medical records, the defendant has been unable to provide its expert witness, Dr. Bernard Katz, with a complete mental health history of the plaintiff which he will need to provide an accurate opinion.

WHEREFORE, the defendant, City of Holyoke, respectfully requests that this Court extend the deadline for disclosing expert witnesses to October 15, 2007 in order to allow the Court time to act upon defendant's August 8, 2007 motion, and, assuming the motion is allowed, to allow the defendant and its expert time to obtain and review the requested records.

The Defendants,
CITY OF HOLYOKE,

By Its Attorneys
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LOCAL RULE 7.1 CERTIFICATION

On August 23, 2007, I conferred with Attorney Ozell Hudson regarding this motion. Attorney Hudson assented to the extension of time to October 15, 2007 but not to the reason for the motion.

/s/ Carole Sakowski Lynch

I hereby certify that this document, filed through the ECF System, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on August 24, 2007.

/s/ Carole Sakowski Lynch